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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Francois Balay

Balay 2-1

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EXAMINER

DANG, KHANH

ART UNIT

PAPER NUMBER

2111

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. The "Summary of claimed subject matter" appearing on pages 2-3 of the Appeal Brief filed 2/27/2007 is deficient because it does not separately map independent claims 10 and 19 to the specification. Correction is required for the Appeal Brief's Summary of Claimed Subject Matter under 37 CFR 41.3(c)(1)(v).

2. In response to Appellants' paper entitled "Response to Examiner's Refusal to Enter Material Information" dated 12/03/2007, as already discussed by the Examiner in a communication dated 11/02/2007, that the 11/28/2006 Information Disclosure Statement (IDS) was filed together with the 11/28/2006 Applicant's Appeal Brief. The 11/28/2006 Appellants' Brief also contained arguments with reference to some of the material cited in the 11/28/2006 IDS filed together with the Brief. A "Defective Brief" Notification dated 2/2/2007 requested Appellants to remove any reference to the material cited in the 11/28/2006 IDS in section (7) (Arguments) of the Brief, since the 11/28/2006 IDS was NOT a part of the prosecution record, and also NOT even material to any rejections and the brief, since the publication date of the material in the 11/28/2006 was well after the filing date of this application. In response, Applicants filed a corrected Appeal Brief on 2/27/2007 removing all references to the 11/28/2006 IDS in section 7 (Arguments) of the Brief.

Art Unit: 2111

The information disclosure statement filed 11/28/2006 has been placed in the application file, but the information referred to therein has not been considered as to the merits.

/Khanh Dang/

Primary Examiner, Art Unit 2111